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December 9, 2010

Via Facsimile to (609) 989-0435

Hon. Tonianne J. Bongiovanni, U.S.M.J.  
United States District Court,  
District Court of New Jersey  
402 East State Street  
Courtroom 6 East  
Trenton, New Jersey 08608

RECEIVED

DEC 10 2010

AT 8:30  
WILLIAM T. WALSH  
CLERK

**Re: DeGennaro v. Rally Manufacturing Inc., et al.**  
Civil Action No.: 09-443 (JAP)  
Our File No.: 348-1014

Dear Judge Bongiovanni:

This firm represents defendants Rally Manufacturing, Inc. ("Rally") and Pep Boys—Manny Moe & Jack of Delaware, Inc. ("Pep Boys"). We are scheduled to appear for an in-person settlement conference before Your Honor on December 22, 2010.

By letter to the Court dated November 11, 2010, defendants requested an extension of fact discovery to February 1, 2011 to accommodate the completion of depositions. While we expect that the discovery schedule will be amended should this case not settle, *we write now to request an extension for defendants to serve their expert report*, currently due on December 15, 2010, until after the completion of depositions. Depositions of defendants are scheduled to go forward in early January. As such, it would place defendants at a serious disadvantage to prematurely serve their expert report at this time.

We appreciate Your Honor's time and attention to this matter.

Respectfully submitted,

*Margot Wilensky*

So Ordered this 9 day  
of December, 2010

Margot Wilensky  
Haworth Coleman & Gerstman, LLC

MW/mw

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cc: *(via email)*

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